## REMARKS

The Office Action dated March 14, 2005, has been received and carefully considered. In this response, claims 1 and 11 have been amended and claims 21-24 have been added. Entry of the amendments to claims 1 and 11, and the addition of claims 21-24, is respectfully requested. Reconsideration of the outstanding objections/rejections in the present application is also respectfully requested based on the following remarks.

## I.   THE OBJECTION TO THE SPECIFICATION

On page 2 of the Office Action, the specification was objected to because the summary "abruptly ends mid-sentence." Applicant has replaced the lone paragraph of the summary as set forth in Appendix A.

In view of the foregoing, it is respectfully requested that the aforementioned objection to the specification be withdrawn.

## II. THE INDEFINITENESS REJECTION OF CLAIM 15

On page 2 of the Office Action, claim 15 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention. In particular, claim 15 recites the limitation "the

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processor" in claim 11. The Examiner alleges there is insufficient antecedent basis for this limitation.

Applicant has amended claim 11 to provide the proper antecedent basis.

In view of the foregoing, it is respectfully requested that the aforementioned indefiniteness rejection of claim 15 be withdrawn.

III. THE ANTICIPATION REJECTION OF CLAIMS 1-20

On page 3 of the Office Action, claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kekic (U.S. Patent No. 6,788,315). This rejection is hereby respectfully traversed.

Under 35 U.S.C. § 102, the Patent Office bears the burden of presenting at least a prima facie case of anticipation. In re Sun, 31 USPQ2d 1451, 1453 (Fed. Cir. 1993) (unpublished). Anticipation requires that a prior art reference disclose, either expressly or under the principles of inherency, each and every element of the claimed invention. Id.. "In addition, the prior art reference must be enabling." Akzo N.V. v. U.S. International Trade Commission, 808 F.2d 1471, 1479, 1 USPQ2d 1241, 1245 (Fed. Cir. 1986), cert. denied, 482 U.S. 909 (1987).

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That is, the prior art reference must sufficiently describe the claimed invention so as to have placed the public in possession of it. In re Donohue, 766 F.2d 531, 533, 226 USPQ 619, 621 (Fed. Cir. 1985). "Such possession is effected if one of ordinary skill in the art could have combined the publication's description of the invention with his own knowledge to make the claimed invention." Id..

Regarding independent claims 1 and 11, the Examiner asserts that Kekic teaches a method for configuring networks, comprising: a) abstracting interface data regarding at least one network element in at least one network element database; (Kekic, column 16, lines 28-44); and b) configuring a network via communication with the at least one network element database (Kekic, column 24, line 63 to column 25, line 36.)

Applicant respectfully submits, however, that Kekic does not teach or suggest any feature or functionality that "abstract[s] interface data regarding at least one network element," as expressly recited in claims 1 and 11. Rather, Applicant respectfully submits that -- as evidenced by the excerpt relied upon by the Examiner -- Kekic merely discloses the storage of information characterizing the operation of the

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network element, not the affirmative step of <u>abstracting</u>

interface data:

> Hence, in FIG. 3, workstation 320, bridge 330, router
> 340, and printer 350 include network management agent
> 321 and network management database 322, network
> management agent 331 and network management database
> 332, network management agent 341 and network
> management database 342, and network management agent
> 351 and network management database 352, respectively.
> Each of network management agents 321, 331, 341, and
> 351 communicates over network 300 using predefined
> commands, such as those defined above in TABLE 1, and
> a predefined protocol, e.g., SNMP. *Also, each of the*
> *network   management   agents   stores   information*
> *characterizing the operation of the network element in*
> *the network management information database, according*
> *to a defined standard, that is associated with the*
> *network management agent. The operation of the agents*
> *and the storage of data by an agent is the same as in*
> *the prior art.*

*See, e.g.,* Kekic Patent, Col. 16, lines 27-44 (emphasis
added).

Applicant respectfully submits that storing information

about the operation of a network element does not teach or

suggest the affirmative act or step of "abstracting" interface

data regarding the at least one network element.  Further,

Applicant respectfully submits that Kekic does not teach or

suggest any feature or functionality that performs the

abstraction step performed by the claimed systems and methods.

Accordingly,   Applicant   respectfully   requests   that   the

anticipation rejection of claims 1 and 11 be withdrawn.

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Claims 2-10 and 12-24 are dependent upon independent claim 1 or 11. Thus, since independent claims 1 and 11 should be allowable as discussed above, claims 2-10 and 12-24 should also be allowable at least by virtue of their dependency on independent claim 1 or 11. Moreover, these claims recite additional features which are not claimed, disclosed, or even suggested by the cited references taken either alone or in combination. For example, claims 21 and 22 recite "wherein the processor is further operable to simulate the network." Applicant respectfully submits that Kekic does not teach or suggest a processor that operates to simulate a network in the manner recited by the pending claims.

In view of the foregoing, it is respectfully requested that the aforementioned anticipation rejection of claims 1-20 be withdrawn.

IV.  CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by

telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.
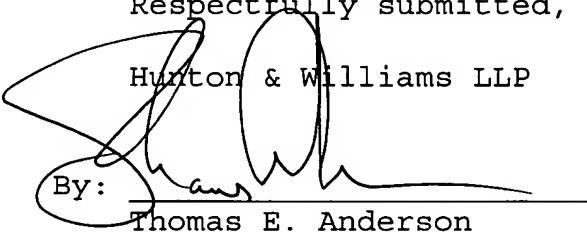
To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

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